

Appl. No. : 09/234,182
Filed : January 20, 1999

residue for the second cysteine residue in the first opposite chain, wherein the apparent size of the conjugate is at least about 500 kD.

Remarks

Claims 1, 5, 19, 21, 26, 28, 29, and 31-36 are under examination in this application. Claim 1 has been amended. The amendment is of formal nature, and does not add new matter. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Arguments

(1) Applicants note that copies of the references listed in applicants' Information Disclosure Statements of 12/22/99, 10/26/99 and 6/08/99 can not be located. In connection with copending application Serial No. 09/121,952 applicants resubmitted copies of all (109) references on December 12, 2001. The Examiner is respectfully requested to use the same copies during the prosecution of the present application, and confirm that the references have been considered.

(2) Claims 1, 5, 19, 21, 26, 29, and 31-36 were rejected under 35 U.S.C. § 112, first paragraph for alleged lack of adequate written description for the conjugates claimed. According to the rejection, the "instant claims encompass a conjugate consisting of an antibody fragment that does not bind antigen covalently coupled to any polymer." In response to applicants' previous arguments, the Examiner notes that the Fab' fragment recited in the instant claims "may not in fact bind antigen and may not tolerize because the conformation of the molecule may be vastly different from that of the native molecule due to absence of the disulfide bond between the two chains."

Applicants respectfully traverse the rejection. First of all, the claims do not encompass a conjugate of an antibody fragment with "any polymer." The claims recite a conjugate including a single polyethylene glycol (PEG) molecule. The conjugate is additionally characterized by its apparent size (at least about 500 kD), and, in some dependent claims, also by the size of the PEG molecule. Secondly, the Examiner's argument that PEGylated antibody fragments that do not bind an antigen may not tolerize is based on the incorrect assumption that only conformational